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Paper No. 32

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**FEB 24 2004**

**OFFICE OF PETITIONS**

In re Application of  
Cahoon et al.  
Application No. 09/417,251  
Filed: October 13, 1999  
Attorney Docket No. BB1085-US-NA

ON PETITION

This is a decision on the petition under 37 C.F.R. § 1.137(b), filed October 20, 2003, to revive the above-identified application.

The petition is **granted**.

The above-identified application became abandoned for failure to submit the issue fee in a timely manner in reply to the Notice of Allowance mailed June 30, 2003, which set a statutory period for reply of three (3) months. Accordingly, the above-identified application became abandoned on October 1, 2003.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b).

Enclosed is a copy of the Examiner's Response to Rule 312 Communication.

The file is now being forwarded to the Publishing Division for processing into a patent.

Telephone inquiries should be directed to the undersigned at (703) 306-0482.

Liana Chase  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

Enclosure: PTOL-271 (Response to Rule 312 Communication)

<b>Response to Rule 312 Communication</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/417,251	CAHOON ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jane Zara	1635	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

1. ☒ The amendment filed on 22 October 2003 under 37 CFR 1.312 has been considered, and has been:

- a) ☒ entered.
- b) ☐ entered as directed to matters of form not affecting the scope of the invention.
- c) ☐ disapproved because the amendment was filed after the payment of the issue fee.  
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
- d) ☐ disapproved. See explanation below.
- e) ☐ entered in part. See explanation below.

*The amendment addressed the inadvertent inclusion of previously canceled claim 17 in the allowed claims listed on the Notice of Allowability. Claim 17, however, was not printed as an allowed claim, it was merely included by number inadvertently in the Notice of Allowability.*